

Notice of Allowability

Application No.

10/798,502

Applicant(s)

BARAK, AVITAL

Examiner

Art Unit

Jack W. Lavinder

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview held on 2/22/2007.
2. ☒ The allowed claim(s) is/are 36, 37, 41.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mrs. Barak on 2/22/2007.

The application has been amended. Claims 36, 37 and 41 have been rewritten as follows:

36. (amended) A method for applying and wearing a jewel for ornamentation, comprising:

(a) providing a jewelry apparatus having at least one jewel pouch, comprising an ornamental metal mesh dimensioned to hold a jewel therein, said mesh having a top opening and having a plurality of apertures, the largest aperture being smaller than said jewel; a mesh carrying arrangement being slidably attached to the mesh along the top opening; wherein upon placing the jewel in the mesh, the mesh suspends from the mesh carrying arrangement and the weight of the jewel causes the mesh carrying arrangement to at least partially close the top opening of the mesh thereby securing the jewel therein;

(b) selecting a jewel and placing it within the pouch; and

(c) securing the apparatus about an individual's neck through the mesh carrying arrangement, wherein said carrying arrangement is a necklace;

~~(d) A method according to claim 34, comprising providing a second jewel, removing the selected jewel from the pouch, and placing the second jewel within the pouch.~~

37. (amended) A method for applying and wearing a jewel for ornamentation, comprising:

(a) providing a jewelry apparatus having at least one jewel pouch, comprising an ornamental metal mesh dimensioned to hold a jewel therein, said mesh having a top opening and having a plurality of apertures, the largest aperture being smaller than said jewel; a mesh carrying arrangement being slidably attached to the mesh along the top opening; wherein upon placing the jewel in the mesh, the mesh suspends from the mesh carrying arrangement and the weight of the jewel causes the mesh carrying arrangement to at least partially close the top opening of the mesh thereby securing the jewel therein;

(b) selecting a jewel and placing it within the pouch; and

(c) securing the apparatus on an individual through the mesh carrying arrangement, wherein said carrying arrangement is a bracelet, an anklet or an earring and said apparatus is worn on the individual's wrist, ankle or ear;

~~(d) A method according to claim 35, comprising providing a second jewel, removing the selected jewel from the pouch, and placing the second jewel within the pouch.~~

41. (currently amended) A method for constructing an ornamental piece to be worn by an individual, comprising:

providing a jewelry apparatus having at least one jewel pouch, comprising an ornamental metal mesh dimensioned to hold a jewel therein, said mesh having a top opening and having a plurality of apertures; a mesh carrying arrangement being slidably attached to the mesh along the top opening; wherein upon placing the jewel in the mesh, the mesh suspends from the mesh carrying arrangement and the weight of the jewel causes the mesh carrying arrangement to at least partially close the top opening of the mesh thereby securing the jewel therein; the mesh carrying arrangement being adapted for wearing the apparatus on the individual; and selecting a jewel of size larger than the largest aperture of said jewel pouch; placing said jewel within the pouch~~A method according to Claim 38, comprising and removing the selected jewel and placing another jewel within the pouch.~~


Claims 25-35, 38-40 have been canceled.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack W. Lavinder whose telephone number is 571-272-7119. The examiner can normally be reached on Mon-Friday, 9-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jack W Lavinder
Primary Examiner
Art Unit 3677

3/1/2007